

Senate Bill No. 221

CHAPTER 64

An act to amend and repeal Section 116.221 of, and to add and repeal Section 116.224 of, the Code of Civil Procedure, relating to small claims court.

[Approved by Governor July 7, 2011. Filed with Secretary of State July 8, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

SB 221, Simitian. Small claims court: jurisdiction.

Existing law specifies that the jurisdiction of the small claims court includes various actions in which the demand does not exceed \$7,500, with specified exceptions.

This bill would increase the jurisdiction of the small claims court by increasing that amount to \$10,000, except as specified. The bill, until January 1, 2015, would confer jurisdiction on the small claims court in an action brought for damages for bodily injuries resulting from an automobile accident if the demand does not exceed \$7,500, and the defendant is covered by an insurance policy that includes a duty to defend. The bill would also make a technical change by deleting a duplicate code section that contains identical provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 116.221 of the Code of Civil Procedure, as added by Section 2 of Chapter 600 of the Statutes of 2005, is amended to read:

116.221. In addition to the jurisdiction conferred by Section 116.220, the small claims court has jurisdiction in an action brought by a natural person, if the amount of the demand does not exceed ten thousand dollars (\$10,000), except for actions specified in Section 116.224, or otherwise prohibited by subdivision (c) of Section 116.220 or subdivision (a) of Section 116.231.

SEC. 2. Section 116.221 of the Code of Civil Procedure, as added by Section 2 of Chapter 618 of the Statutes of 2005, is repealed.

SEC. 3. Section 116.224 is added to the Code of Civil Procedure, to read:

116.224. (a) Notwithstanding Section 116.221, the small claims court has jurisdiction in an action brought by a natural person for damages for bodily injuries resulting from an automobile accident if the amount of the demand does not exceed seven thousand five hundred dollars (\$7,500).

(b) This section shall apply only if a defendant is covered by an automobile insurance policy that includes a duty to defend.

(c) This section shall remain in effect only until January 1, 2015, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2015, deletes or extends that date.

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